



**Upholding the human right to live in a
healthy environment**

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Environmental Justice & Human Rights in the United States

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Contents

| | |
|--|----|
| Introduction | 1 |
| Environmental Justice Case Study #1 Citizens Against Nuclear Trash | 2 |
| Environmental Justice Case Study #2 St. James Citizens for Jobs & the Environment | 3 |
| Environmental Justice Case Study #3 Concerned Citizens of Norco | 3 |
| How the U.S. Environmental Regulatory System Perpetuates Human Rights Violations | 4 |
| Mossville, LA USA: A Community Demanding Human Rights Protection from Environmental Injustice | 7 |
| About Advocates for Environmental Human Rights | 10 |
| Endnotes | 11 |

**A Healthy Environment
Is a Human Right!**

Introduction

Advocates for Environmental Human Rights (“AEHR”) is a nonprofit, public interest law firm dedicated to upholding our human right to live in a healthy environment. We hold companies and the government accountable when this right is violated, and we advocate for public policy that supports this right. With every step, we educate people about their right to live in healthy communities.

AEHR was founded to seek a human rights based reform of the U.S. environmental regulatory system. This system operates under a substantial body of laws, regulations, and policies that authorize projects which have devastating effects on natural resources, threaten human health and lives, deprive people of their cultural and religious rights, and denigrate social and economic values. The legal authorization of environmentally damaging projects in the United States disproportionately harms people of color, which reflects a systemic form of discrimination known as environmental racism.¹

A cornerstone of AEHR’s mission is the *Principles of Environmental Justice*, which were developed in 1991 during the First National People of Color Environmental Leadership Summit. The *Principles* recognize that human rights are at the core of the environmental justice movement.²

Currently, efforts to merge human rights norms into American jurisprudence and policies are at a nascent stage; nevertheless, AEHR takes this approach because it offers a combination of new legal reasoning that embraces environmental justice, as well as diverse advocacy fora and strategies that can help to positively shift the domestic debate regarding environmental protection and provide new opportunities for achieving necessary governmental reforms.

The following discussion of environmental justice and human rights in the United States provides case studies of: the successful legal advocacy by AEHR attorneys in support of organized African American communities struggling for environmental justice; an analysis of the human rights violations arising from the deep flaws in the U.S. environmental regulatory system; and community-led advocacy in the United States that brings together environmental justice and human rights.



The Morrisonville cemetery is all that remains on the site of one of the oldest African American communities in Louisiana, USA that was founded in the 1790's. The U.S. government allowed the Dow Chemical Corp. to release massive quantities of cancer-causing chemicals and other toxins without any regard for the health and lives of nearby Morrisonville residents. In order to avoid a potential lawsuit by residents claiming injuries from Dow's hazardous operations, the corporation relocated residents in 1992. The unlivable and unhealthy conditions that the government imposed on the Morrisonville community constitute a denial of the fundamental human rights of Morrisonville residents.³

Environmental Justice Case Study #1

Citizens Against Nuclear Trash

In an historic case that spanned the course of nine years, Citizens Against Nuclear Trash (“CANT”) set the first environmental justice precedent in the United States.

In 1989 an international consortium of nuclear energy producers announced plans to build the first privately-owned uranium enrichment plant in the United States. Calling itself Louisiana Energy Services (“LES”), the consortium sought a license from the U.S. government that would allow the uranium facility to operate between the two African American communities of Forest Grove and Center Springs in northern Louisiana. LES planned to store over 100,000 tons of toxic, radioactive waste virtually in the backyards of the two communities. Then U.S. Senator from Louisiana, J. Bennett Johnston, gave unconditional support to LES and sponsored new federal legislation that sped up the licensing process for LES.

However, African American residents of the two communities mobilized in opposition to LES and their white neighbors joined them to organize as CANT. AEHR Co-Director Nathalie Walker provided free legal services to CANT and supported the group in building effective coalitions with several organizations, including Greenpeace and the Southern Organizing Committee.

Throughout the lengthy licensing proceeding, Ms. Walker represented CANT before the U.S. Nuclear Regulatory Commission (“NRC”), and raised several successful challenges in opposition to licensing the facility. One of these challenges raised the issue of environmental racism, documenting how LES and the NRC staff review of the license application ignored the impacts of the hazardous facility in such close proximity to residents. Ms. Walker exposed the fact that LES’s initial maps of the proposed facility site entirely omitted any reference at all to the two nearby African American communities.

During the administrative licensing hearing before the NRC, Ms. Walker presented testimony from world renowned sociology professor, Dr. Robert Bullard, and documentary evidence demonstrating that racism was involved in LES’s site selection of the Forest Grove and Center Springs communities, and that areas populated by whites were intentionally excluded from consideration. Notwithstanding three teams of opposing attorneys, this evidence of environmental racism, as well as other proof of safety defects and the lack of LES’s financial wherewithal to safely build and operate the facility, were persuasive to the NRC’s Atomic Safety & Licensing Board.

In May 1997, the Board issued a 90-page decision denying a license to LES. LES appealed this decision to the full NRC. In 1999, the NRC upheld the Board’s decision, in part, on grounds that licensing LES violated the National Environmental Policy Act by failing to consider and mitigate the harmful and racially disparate impacts on the nearby African American communities. The NRC’s unprecedented ruling was the first favorable environmental justice decision rendered by an adjudicatory body in the United States, and this decision was the first (and, to date, only) time in its history that the NRC has ever denied a facility license to an applicant.

Environmental Justice Case Study #2

St. James Citizens for Jobs & the Environment

Alongside the Mississippi River in Louisiana's Cancer Alley, the predominantly African American community of Convent (population 2,052) was locked in a struggle with Shintech, a giant Japanese chemical corporation. In 1996, Shintech announced plans to spend \$700 million to build three chemical factories and an incinerator next to homes and schools in Convent. Shintech officials acknowledged that their "state of the art" industrial complex would pollute the air with over 600,000 pounds of toxic chemicals, many of which are potent carcinogens. Shintech's proposed project was a continuation of the decades-long tradition of industrial facilities dumping millions of pounds of toxic chemicals on communities of color. In fact, Shintech had the full support of then Louisiana Governor Mike Foster and other local officials, who retaliated against Greenpeace and local organizations assisting SJCJE. The actions taken by the government did not deter these organizations or the people of Convent, who protested against Shintech and organized St. James Citizens for Jobs and the Environment ("SJCJE"). Their uncompromising struggle to defeat Shintech rallied the support of organizations and individuals throughout the country. What began as a local struggle to stop Shintech in Louisiana grew into a national and international debate over environmental racism.

On behalf of SJCJE and Greenpeace, AEHR Co-Director Monique Harden drafted a Clean Air Act/Environmental Justice administrative petition that was jointly filed with the Tulane Environmental Law Clinic. The petition, submitted to the U.S. Environmental Protection Agency ("EPA"), sought a revocation of environmental permits issued to Shintech by the Louisiana Department of Environmental Quality ("LDEQ"). EPA held ultimate veto power over the environmental permits. The petition invoked the Federal Executive Order on environmental justice (*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, No. 12898), which directs all federal agencies to ensure that environmental justice considerations inform all of their actions. The petition asserted that no such considerations had been undertaken in issuing the air permits to Shintech, noting that, as written, the permits violated scores of legal requirements established under the Clean Air Act. In October 1997, EPA denied the issuance of permits to Shintech for non-compliance with the Clean Air Act, and directed the LDEQ to consider environmental justice in its permitting decisions.

Environmental Justice Case Study #3

Concerned Citizens of Norco

The African American neighborhood of Diamond in Norco, Louisiana, is located 40 miles northwest of New Orleans, in Louisiana's Cancer Alley. The neighborhood consists of four streets sandwiched between two Shell Oil & Chemical facilities. The Shell Chemical facility, in particular, operated across a one-lane road from the doors of Diamond residents. These facilities caused residents to suffer pervasive noxious odors and fumes, recurring flaring, soot covered homes and cars, and booming noises. Industrial accidents at the Shell facilities occurred on average 3 times a month, and caused terrible tragedies in the Diamond neighborhood. In 1973, a Shell Chemical pipeline erupted and killed an elderly woman and a teenage boy in a fiery death. For many years, residents demanded relocation away from Norco, and even brought a lawsuit against Shell that turned out to be unsuccessful.

In December 1998, AEHR Co-Director Monique Harden began working with Diamond residents, who were organized as Concerned Citizens of Norco ("CCN"). Ms. Harden brought organizing support to CCN, and publicly exposed a toxic gas release at the Shell Chemical facility that the company attempted

to cover up with false information. She also organized a coalition of environmental groups, which included the Xavier University Deep South Center for Environmental Justice, the Sierra Club Delta Chapter, the Subra Company, and Communities for a Better Environment, in preparing a joint report with CCN that exposed Shell's horrendous record of frequent toxic accidents and health-threatening pollution levels. This report, *Shell Norco: Toxic Neighbor – The Case for Relocation*, gained significant media exposure in support of Diamond residents. Ms. Harden convinced socially responsible investment groups to demand that Shell offer a fair and just relocation to Diamond residents. She also worked with U.S. Congresswoman Maxine Waters (D-CA) and members of the Congressional Black Caucus, which resulted in their urging the Shell USA Chief Executive Officer ("CEO") to relocate Diamond residents.

In response to the growing pressure for relocation, Shell corporate officers in London, England and Houston, Texas agreed to convene negotiations with CCN and its advisors regarding relocation in May 2002. Ms. Harden was the lead negotiator on behalf of CCN during intense discussions with Shell managers. In June 2002, the negotiations successfully concluded with an agreement by Shell to relocate all residents in the Diamond Community pursuant to terms established by CCN, and a commitment by Shell to invest \$20 million in facility improvements to reduce pollution and minimize accidents.

The environmental justice victory in Norco had much larger than expected results. It has inspired communities around the world located in the shadows of Shell facilities. AEHR is now coordinating an international coalition of community organizations hailing from Durban, South Africa; Niger Delta, Nigeria; Norco, Louisiana, USA; Port Arthur, Texas, USA; Manila, the Philippines; Sakhalin Island, Russia, Sao Paulo, Brazil; Curacao, Netherlands Antilles; and advocacy groups that are working to hold Shell accountable for its unjust practices that devastate the environment, threaten human health, and erode governmental accountability.

How the U.S. Environmental Regulatory System Perpetuates Human Rights Violations

The United States has enacted an enormous body of environmental laws, and has made significant contributions to the development of international human rights laws. However, it has failed to incorporate human rights into its system of environmental protection. As a result, there is a dichotomy between human rights and environmental protection that results in a fundamentally flawed environmental regulatory system.

Rather than adopting human rights as the foundation for environmental protection, the United States has, for the last 30 years, developed an environmental regulatory system that is myopically technical, bureaucratically fragmented, racially discriminatory, and ultimately deferential to industrial interests. Because that system in the United States focuses primarily on technological controls for a limited number of pollutants,⁴ rather than on the protection of the human right of all people to a healthy and safe environment, that system is blind to the devastating impacts suffered by communities, in particular communities of color, where regulated industries dump massive quantities of toxic pollution. Reforming this system is critical for communities who are being destroyed by toxic industrial pollution, in violation of fundamental human rights.

Based on years of work with communities subjected to environmental racism, AEHR has identified five major flaws in the U.S. environmental regulatory system which, if left unaltered, will continue to doom communities to extensively polluted air, water, and land that severely jeopardize human lives and health.

1. **U.S. environmental laws do not prevent the location of individual toxic and hazardous facilities, or the clustering of such facilities, in close proximity to residential areas.**



Two boys in a community playground that is located next to a chemical facility owned and operated by the Shell Corporation in Norco, Louisiana. Both the U.S. Environmental Protection Agency and the Louisiana Department of Environmental Quality issued permits for this chemical facility, without regard for its dangerously close proximity to the African Americans residing in Norco.

Photo courtesy of the Deep South Center for Environmental Justice

2. **U.S. environmental regulations require emission limits and technological controls on only a fraction of pollutants released by industrial facilities.**



In the years 2000 and 2001, the Conoco Phillips oil refinery in Mossville, LA reported that it released over 300,000 pounds of harmful toxins, none of which have established emission limits.

Source: Louisiana Department of Environmental Quality

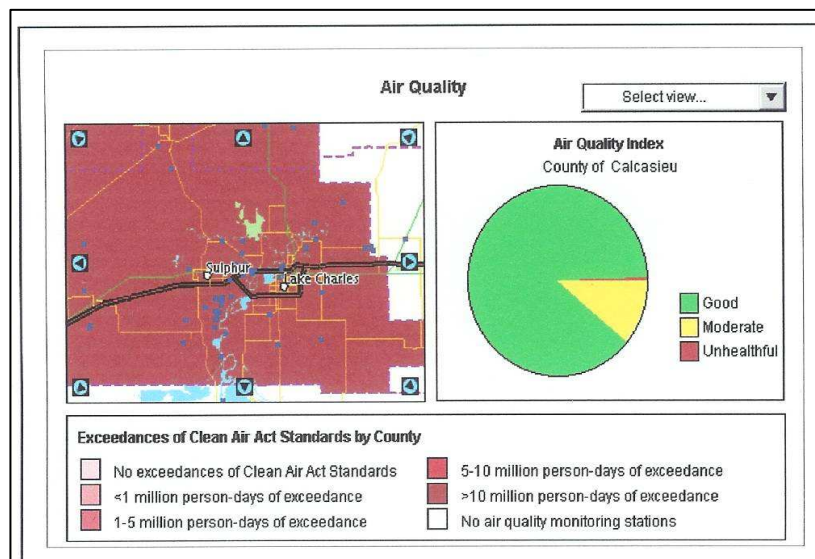
3. U.S. environmental laws entirely fail to protect against the multiple, cumulative, and synergistic impacts of industrial pollutants.

| Toxic Chemicals Detected in the Air by the Louisiana Department of Environmental Quality Air Monitoring Station located near Mossville, LA | | |
|--|--------------------------|------------------------|
| Acetonitrile | Cis 1,2-Dichloroethylene | Perchloroethylene |
| Acrylonitrile | 1,1-Dichloroethane | Phosgene |
| Ammonia | 1,2-Dichloroethane | Propane |
| Benzene | Ethane | Propylene |
| 1,3-Butadiene | Ethylbenzene | Propylene Oxide |
| Butane | Ethyl Chloride | Styrene |
| 2-Butanone | Ethylene | Sulfur Dioxide |
| Carbon Disulfide | Ethylene Dichloride | Tetrachloroethylene |
| Carbon Tetrachloride | Ethylene Oxide | Titanium Tetrachloride |
| Carbon Sulfide | Hydrogen Chloride | Toluene |
| Chlorine | Hydrogen | Sulfide |
| Chloroethane | Methacrylonitrile | Trichloroethylene |
| Chloroform | MTBE | Vinyl Acetate |
| Chloromethane | Nitrogen Oxide | Vinyl Chloride |
| | | Xylene |

Although some air toxins are monitored by environmental agencies, these agencies are not required to consider the combined and long-term toxic effects of any chemicals on human health and the environment. These chemicals include known carcinogens, as well as reproductive, developmental, genetic, and respiratory toxins.

Source: Louisiana Department of Environmental Quality

4. U.S. air quality standards are set on an overbroad geographic scale, which completely ignores excessive air pollution occurring in smaller areas.



The region of Calcasieu Parish in Louisiana, where Mossville is located, is deemed to have overall “good” air quality, which obscures the high concentrations of harmful pollutants contributing to the “unhealthful” air quality in Mossville (see pie chart).

Source: Environmental Defense Scorecard

5. U.S. environmental agencies depend on polluting companies to self-monitor their facilities for compliance with environmental regulations.

PERFECT SCORE?
A refinery with no leaks would seem to be impossible, yet that's what Motiva claimed in a 1998 report that showed an unbroken series of zeroes that went on for page after page. Regulators now question whether the company monitored leaks as well as it claimed.
See graphic, A-16.

SEMIANNUAL LEAK REPORT SUMMARY
NPS REPORT NO. 000
FUGITIVE EMISSIONS MONITORING PROGRAM
DEPARTMENT: 000
UNIT/AREA: 000
SEMIANNUAL PERIOD CODE: 000

| MONTH IN SEMIANNUAL REPORTING PERIOD | VALVE LEAKS DETECTED | VALVE LEAKS NOT REPAIRED IN 15 CAL DAYS | PUMP LEAKS DETECTED | PUMP LEAKS NOT REPAIRED IN 15 CAL DAYS | DETAILED |
|--------------------------------------|----------------------|---|---------------------|--|----------|
| Jan | 0 | 0 | 0 | 0 | 0 |
| Feb | 0 | 0 | 0 | 0 | 0 |
| Mar | 0 | 0 | 0 | 0 | 0 |
| Apr | 0 | 0 | 0 | 0 | 0 |
| May | 0 | 0 | 0 | 0 | 0 |
| June | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 0 | 0 | 0 | 0 | 0 |

SEMIANNUAL LEAK REPORT SUMMARY
NPS REPORT NO. 000
FUGITIVE EMISSIONS MONITORING PROGRAM
DEPARTMENT: 000
UNIT/AREA: 000
SEMIANNUAL PERIOD COVERED: 1/1/98 - 6/30/98

| MONTH IN SEMIANNUAL REPORTING PERIOD | VALVE LEAKS DETECTED | VALVE LEAKS NOT REPAIRED IN 15 CAL DAYS | PUMP LEAKS DETECTED | PUMP LEAKS NOT REPAIRED IN 15 CAL DAYS | DETAILED |
|--------------------------------------|----------------------|---|---------------------|--|----------|
| Jan | 0 | 0 | 0 | 0 | 0 |
| Feb | 0 | 0 | 0 | 0 | 0 |
| Mar | 0 | 0 | 0 | 0 | 0 |
| Apr | 0 | 0 | 0 | 0 | 0 |
| May | 0 | 0 | 0 | 0 | 0 |
| June | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 0 | 0 | 0 | 0 | 0 |

Excerpts from environmental reports prepared by the Shell/Motiva oil refinery in Norco, Louisiana show rows of zeroes, which indicate that no toxic chemicals escaped from pipes, flanges, or connectors during refinery operations. Such reports exemplify how companies can falsely report their toxic emissions data, which often goes unnoticed by regulatory agencies.

Source: THE TIMES PICAYUNE (New Orleans, LA)

It is through these flaws in the environmental regulatory system that violations of fundamental human rights occur. Specifically, the U.S. government does not protect the human right to life when it allows a hazardous industrial facility to operate in close proximity to a residential area, where people will die in a catastrophic event involving an explosion, fire, or toxic spill occurring at the facility. Further, by sanctioning the release of massive quantities of toxic chemicals in communities, the U.S. government fails to protect the human right to health of residents, who inhale, ingest, touch, and drink these chemicals on a daily basis. In addition, although the U.S. government has acknowledged the discriminatory effect of environmental decisions that subject people of color to racially disproportionate pollution burdens, it has not taken any appropriate action that protects the human right to non-discrimination.



Homes in Mossville, Louisiana, where major hazardous industrial facilities operate across the street from residents.

Mossville, Louisiana, USA: A Community Demanding Human Rights Protection from Environmental Injustice

Mossville is an unincorporated community in southwest Louisiana that was founded in the 1800's by African Americans with a vision of creating a place where their children could live and prosper in a safe haven from racial hostility. The natural environment allowed even the poorest families in Mossville to live well by fishing, hunting, and farming.

Environmental Racism: Mossville is surrounded by no less than 14 industrial facilities that include oil refineries, vinyl manufacturers, and a coal-fired power plant within one-half mile of residents. The landscape is surreal – modest homes and churches surrounded by massive industrial facilities bristling with dozens of smokestacks, some flaring with fire, others belching dark, particulate-filled smoke, still others silently expelling pollutants not visible to the eye. Nine of these facilities admit to spewing over 2,000,000 pounds of toxic chemicals into the air each year.

Industrial accidents or malfunctions at these facilities are not uncommon, endangering the lives of nearby residents, fouling the air with noxious fumes, and shooting out towering orange flames that form black gaseous clouds. The public health costs of these accidents have not been measured, but cannot be overlooked as the chemical most frequently released during industrial accidents in the Mossville area is benzene, a known cancer-causing chemical. The government's decision to exclude industrial malfunctions from permit limits, and the governmental agencies' reliance on voluntary compliance programs instead of enforcement, further jeopardize the health and lives of people in Mossville and around the country who live near polluting facilities.

On those occasions when local industry bothers to identify its leak, explosion, or fire as a danger to the public, an outdoor siren warns Mossville residents to run to their homes or the nearest building. Once inside, residents are instructed to seal cracks around windows and doors with tape, and to turn off all air conditioners. They then must wait indoors until an all-clear signal is given. These actions are known as "shelter-in-place" and are recommended by the government. However, research shows that "shelter-in-place" is so woefully inadequate as a protective measure that urging its practice is patently reprehensible.

In addition to carcinogenic benzene emissions, facilities surrounding Mossville are allowed to release numerous other chemicals, including dioxin, that are known to damage human health by causing cancer, attacking the reproductive system, impairing learning and behavioral development, weakening the immune system, and harming internal organs such as the liver and kidneys.

The U.S. Agency for Toxic Substances and Disease Registry ("ATSDR") reported in 1999 that Mossville residents have 3 times *more* dioxin in their bodies than the general U.S. population. Dioxin is a global health threat that causes cancer and extensively damages the human hormone system, resulting in severely debilitating diseases and impairments. Some Mossville residents are undergoing chemotherapy for recurring cancers, and others have died from cancer. Significant numbers of Mossville residents suffer from health problems associated with exposure to dioxin and other toxins. The U.S. Environmental Protection Agency ("EPA") has identified vinyl production as a source of dioxin, and Mossville has the highest concentration of vinyl manufacturing facilities in the United States. In addition, EPA has compiled environmental reports of Mossville area industrial dioxin emissions that correlate with the unique composition of dioxin compounds that ATSDR detected in the blood and environment of Mossville residents. However, neither EPA nor ATSDR have disclosed to Mossville residents the link between industrial dioxin emissions and the dioxin detected in their blood and environment. To make matters worse, the federal agencies have resisted implementing measures to prevent further dioxin exposures in the Mossville community that is different from that detected in the general U.S. population. In the report, *Industrial Sources of Dioxin Poisoning in Mossville, LA: A Report Based on the Government's Own Data*, AEHR, The Subra Company, and Mossville Environmental Action Now uncover the data collected by EPA and ATSDR that identify the specific industrial facilities operating near the Mossville community which are responsible for the significant dioxin exposure suffered by residents.⁵ The report also exposes the failure of the government agencies to protect the health of Mossville residents.

International Review of Human Rights Violations in Mossville: On behalf of Mossville residents and Mossville Environmental Action Now, AEHR filed a human rights legal petition with the Inter-American Commission on Human Rights of the Organization of American States (“OAS”) on March 7, 2005. This petition is the first environmental human rights legal challenge brought against the United States. The petition details the history of Mossville, provides an analysis of the present environmental damage occurring in the community that threatens the life and health of residents, and documents the binding legal obligation of the United States to remedy the environmental harms in Mossville and reform its environmental regulatory system to comply with human rights laws and standards. The petition is 136 pages in length and includes an appendix of more than 200 pages of documents that are referenced in the petition. The Commission has officially requested that the U.S. Department of State submit a response to the Mossville human rights petition.

This legal action is necessitated by the fact that remedies for the environmental and health damage occurring in Mossville are, unfortunately, not available under U.S. laws. In fact, such damage is sanctioned by the U.S. environmental laws and regulations. For the last 60 years, since the introduction of hazardous industrial development in Mossville, residents have been suffering from the damaging effects of industrial pollution and contamination that interfere with their fundamental human rights to:

- life
- health
- freedom from racial discrimination
- privacy as it relates to security of one’s home

The mission of the OAS is to promote and defend human rights in the western hemisphere. The OAS Inter-American Commission on Human Rights investigates and seeks to resolve complaints of human rights violations occurring in the United States and 34 other member countries. The Commission has an established process for investigating complaints of human rights violations, working to resolve these complaints, and making decisions and recommendations to the government of the country where a human rights complaint occurs. In prior cases, the Commission has ruled that a government’s failure to adequately protect the environment can constitute a human rights violation.⁶

By virtue of its membership in the OAS, the United States is obligated to uphold the American Declaration on the Rights and Duties of Man, which recognizes the fundamental human rights to life, health, privacy, and freedom from discrimination. In addition, as a signatory to the American Convention on Human Rights, the United States is legally obligated not to defeat or undermine these human rights, which are guaranteed by this Convention.

Remedies Sought in Mossville Human Rights Legal Petition: The Mossville Human Rights Legal Petition requests that the OAS Inter-American Commission on Human Rights recommend that the United States:

1. provide medical services to Mossville residents suffering from diseases and health problems associated with environmental toxic exposures, including health monitoring services;
2. offer appropriate relocation to consenting Mossville residents that allows them to live in healthier environs, away from toxic industrial facilities and contaminated sites;
3. refrain from issuing environmental permits and other approvals that would allow any increase in pollution by existing industrial facilities located in close proximity to the Mossville community, and

to refrain from issuing any environmental permits and other approvals that would allow the introduction of any new industrial facility in the Mossville area; and

4. reform its existing environmental regulatory system to:

- a. require a safe distance between a residential population and a hazardous industrial facility so that the population is not located within the area where deaths or serious injury would result in the event that a toxic or flammable substance stored, processed, or generated by the facility would be released to the environment through explosion, fire, or spill;
- b. establish in all regulatory programs pollution limits that prevent harm to human health and the environment from aggregate, cumulative, and synergistic pollution exposures; and
- c. remedy past practices and prevent future actions that intentionally or inadvertently impose racially disproportionate pollution burdens.

On behalf of Mossville Environmental Action Now and Mossville residents, Advocates for Environmental Human Rights will request that the Inter-American Commission on Human Rights conduct an investigative, fact-finding mission in Mossville, Louisiana, and convene an adjudicative hearing on this human rights petition.



About Advocates for Environmental Human Rights

AEHR's mission is to uphold our human right to live in a healthy environment. We hold the government and companies accountable when this right is violated, and we advocate for public policy that supports this right. With every step, we educate people about their right to live in healthy communities.

The co-founders and co-directors of AEHR are Monique Harden and Nathalie Walker, attorneys in New Orleans, Louisiana, who have laid important groundwork in environmental justice legal advocacy. Ms. Harden and Ms. Walker have both spoken and written on a wide variety of topics pertaining to environmental justice, public health, and human rights. Their contributions to the struggle for environmental justice have been featured in several books, documentaries, magazines, and television and print news.

AEHR is guided by a Board of Directors and an Advisory Committee comprised of environmental and social justice activists who have expertise in community organizing, human rights advocacy, social science research, chemistry, industrial engineering, environmental medicine, legislation, and policymaking.

- **Find out how you can protect our human right to a healthy environment in the United States, visit AEHR at www.ehumanrights.org.**
- **AEHR provides volunteers and legal interns with rewarding experiences, and always appreciates tax-deductible donations.**

Endnotes

¹ The pattern of racial discrimination in the U.S. system of environmental protection has been well documented in several governmental and academic studies. See, e.g., U.S. General Accounting Office, *Siting of Hazardous Waste Landfills and Their Correlation With Racial and Economic Status of Surrounding Communities*, GAO/RCED-83-168, B-211461(1983); Commission for Racial Justice, United Church of Christ, *Toxic Waste and Race in the United States: A National Report on the Racial and Socioeconomic Characteristics of Communities with Hazardous Waste Sites* (1987); Robert D. Bullard, *Dumping in Dixie: Race, Class, and Environmental Quality* (1990).

² “Principle 10. Environmental justice considers governmental acts of environmental injustice a violation of international law, the Universal Declaration on Human Rights, and the United Nations Convention on Genocide.” First National People of Color Environmental Leadership Summit, *Principles of Environmental Justice*, October 27, 1991. The complete text of the *Principles of Environmental Justice* is available at www.ejrc.cau.edu/princej.html.

³ Louisiana Advisory Committee to the U.S. Commission on Civil Rights, *The Battle for Environmental Justice in Louisiana . . . Government, Industry, and the People*, pp. 50-52 (September 1993).

⁴ See, e.g., the Clean Water Act, United States Code, Title 33, Section 1311 (requiring best practice control technology to meet effluent limitations), and the Clean Air Act, United States Code, Title 42, Section 7412 (requiring pollution control technologies to meet hazardous air pollutant emission standards).

⁵ The report, *Industrial Sources of Dioxin Poisoning in Mossville, LA: A Report Based on the Government's Own Data*, is available at www.ehumanrights.org/media_reports.html.

⁶ See, e.g., *Report on the Situation of Human Rights in Ecuador*, OEA/Ser.L/V/II.96 (1997); *Report on the Situation of Human Rights in Brazil*, OEA/Ser.L/V/II.97 (1997).